

6035. Adulteration of phosphated flour and plain flour. U. S. v. 76 Bags of Plain Flour (and 2 other seizure actions against phosphated flour). Decrees of condemnation. Two lots ordered released under bond; 1 lot ordered destroyed. (F. D. C. Nos. 12824, 13253, 13688. Sample Nos. 61717-F, 80572-F, 80573-F, 90314-F, 90315-F.)

LIBELS FILED: From on or about June 29 to September 18, 1944, Eastern District of Arkansas, Eastern District of Louisiana, and Northern District of Iowa.

ALLEGED SHIPMENT: From on or about April 17 to May 3, 1944, by the Acme Flour Mills Co., Oklahoma City, Okla.

PRODUCT: 190 50-pound bags and 230 25-pound bags of phosphated flour at Brinkley, Ark; 121 50-pound sacks of phosphated flour at Ashdown, Ark; and 76 100-pound bags of plain flour at New Orleans, La.

LABEL, IN PART: "Jingle Bells Phosphated Bleached Flour," "The Magic Miller's Best * * * Bleach Phosphated Flour," or "Tiger * * * Bleached."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of weevils, larvae, pupae, cast skins, insects, and insect fragments.

DISPOSITION: Between August 25 and October 10, 1944. The Plunkett-Jarrell Grocery Co., Ashdown, Ark., claimant for the Ashdown lot, and A. C. Huddleston & Co., Brinkley, Ark., claimant for the Brinkley lot, having admitted the material allegations of the libels, judgments of condemnation were entered and those lots were ordered released under bond, conditioned that they be denatured under the supervision of the Food and Drug Administration. No claimant having appeared for the New Orleans lot, judgment of condemnation was entered and that lot was ordered destroyed.

6036. Adulteration of phosphated and self-rising flour. U. S. v. 414 Sacks and 429 Bags of Flour. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 12933, 13068. Sample Nos. 72582-F, 80190-F to 80192-F, incl.)

LIBELS FILED: July 14 and 29, 1944, Western District of Tennessee.

ALLEGED SHIPMENT: On or about April 20 and June 17, 1944, by the Nebraska Consolidated Mills from Fremont and Grand Island, Nebr.

PRODUCT: 252 sacks, each containing 25 pounds, 92 sacks, each containing 25 pounds, 70 sacks, each containing 50 pounds, and 429 bags, each containing 25 pounds, of flour at Memphis, Tenn.

LABEL, IN PART: (Sacks) "Queen Quality Bleached Flour Made from Selected Hard Wheat * * * Hastings Mills Manufacturer Hastings, Nebraska Self Rising [or "Phosphated"] White Flour."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), in that the product consisted in whole or in part of filthy substances by reason of the presence of insects, insect fragments, and larvae.

DISPOSITION: August 17, 1944. The Nebraska Consolidated Mills, Omaha, Nebr., claimant, having admitted the allegations of the libels, judgments of condemnation were entered, and the product was ordered released under bond for conversion into animal or stock feed under the supervision of the Food and Drug Administration.

6037. Adulteration of self-rising and phosphated flour. U. S. v. 760 Bags of Flour. Consent decree of condemnation. Product ordered released under bond for denaturing for use as animal feed. (F. D. C. No. 12639. Sample Nos. 63264-F, 63265-F.)

LIBEL FILED: June 7, 1944, Western District of North Carolina.

ALLEGED SHIPMENT: On or about May 16, 1944, from Atlanta, Ga., by the Puritan Mills.

PRODUCT: 160 10-pound bags, 270 25-pound bags, 19 50-pound bags, and 10 100-pound bags of self-rising flour, and 100 10-pound bags, 180 25-pound bags, 15 50-pound bags, and 6 100-pound bags of phosphated flour at Gastonia, N. C.

LABEL, IN PART: "Dixie Cream Self-Rising Bleached Wheat Flour," or "Dixie Cream Bleached Phosphated Flour."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments in the wheat flour, and insect fragments and fragments resembling rodent and cat hairs in the phosphated flour; and, Section 402 (a) (4), it had

been prepared under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: July 7, 1944. Puritan Mills, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for denaturing and disposition as animal feed, under the supervision of the Food and Drug Administration.

6038. Adulteration of rye, rye graham, and buckwheat flour. U. S. v. 135 Sacks, 307 Sacks, and 207 Bags of Flour. Consent decree of condemnation. Product ordered released under bond for reconditioning and relabeling. (F. D. C. No. 12344. Sample Nos. 80212-F to 80214-F, incl.)

LIBEL FILED: May 9, 1944, Southern District of Iowa.

ALLEGED SHIPMENT: On or about November 27, 1943, and January 15, 1944, from New Ulm, Minn., and Janesville, Wis.

PRODUCT: 649 sacks of flour at Des Moines, Iowa, in possession of the Beaver Valley Milling Co., Division of Inland Mills, Inc.

This product was stored under insanitary conditions. The bags had been torn by rodents, and contained rodent excreta and urine stains. Examination of samples showed that the article contained rodent excreta and rodent hairs.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: On June 14, 1944, Inland Mills, Inc., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reconditioning and relabeling under the supervision of the Food and Drug Administration. The product was converted into animal feed.

6039. Adulteration of whole wheat flour. U. S. v. 60 Bags of Whole Wheat Flour. Consent decree of condemnation. Product ordered released under bond to be converted into stock feed. (F. D. C. No. 12846. Sample No. 68033-F.)

LIBEL FILED: July 1, 1944, Southern District of Ohio.

ALLEGED SHIPMENT: On or about January 27, 1944, by the Larabee Flour Mills Co., North Kansas City, Mo.

PRODUCT: 60 bags, each containing 100 pounds, of whole wheat flour.

LABEL, IN PART: (Bag) "Larabee's Whole Wheat Flour."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), in that the product consisted in whole or in part of a filthy substance by reason of the presence of larvae and insect fragments.

DISPOSITION: July 28, 1944. The Commander Larabee Milling Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be converted into stock feed by mixing with other ingredients, under the supervision of the Food and Drug Administration.

6040. Adulteration of cake and pastry flour, self-rising flour, phosphated flour, and plain flour. U. S. v. 300 Bags and 255 Bags of Flour. Default decrees of condemnation. One portion ordered delivered to a Federal institution, for use as feed for livestock; remainder ordered destroyed. (F. D. C. Nos. 12664, 12909. Sample Nos. 35081-F, 63488-F to 63491-F, incl.)

LIBELS FILED: On or about June 12 and July 17, 1944, Western District of South Carolina and Northern District of Georgia.

ALLEGED SHIPMENT: Between November 19, 1943, and May 10, 1944, by J. Allen Smith & Co., from Knoxville, Tenn.

PRODUCT: 300 bags of flour at Greenville, S. C., and 68 bags, each containing 25 pounds, and 187 bags, each containing 50 pounds, of flour at Toccoa, Ga.

LABEL, IN PART: (Bags) "Jasco Cake and Pastry Flour," "Red Head Phosphated Flour," "Sun. Mon. Tues. Wed. Thurs. Fri. Sat. Every Day Self-Rising Flour," "Gold-Eagle Self-Rising Flour," or "Enriched with Vitamins & Minerals New Kansas Winter Wheat Flour."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), in that the product consisted in whole or in part of a filthy substance by reason of the presence of one or more of the following: Weevils, larvae, insect fragments, and cast skins.